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3 **18539.2. Reporting Payments Pursuant to Government Code section 85310.**
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5 (a) Reports filed under Government Code section 85310 are not required to be
6 filed on paper. A report filed online or electronically pursuant to this section must
7 contain the following information:

8 (1) The name and address of the person making a payment or a promise of
9 payment totaling \$50,000 or more for a communication described in Government Code
10 section 85310, subdivision (a);

11 (2) If the person making a payment or a promise of payment is an individual, his
12 or her occupation and employer;

13 (3) The amount(s) of the payment(s) or promise of payment;

14 (4) If the person making a payment or a promise of payment is a committee under
15 Government Code section 82013, subdivision (a), the identification number issued to the
16 committee by the Secretary of State;

17 (5) The date(s) of the payment(s) or promise of payment;

18 (6) The name(s) of and office(s) sought or held by the candidate(s) identified in
19 the communication;

20 (7) A description of the method of communication for which the payment of
21 \$50,000 or more was made, such as television or radio broadcasts, print advertisements,
22 or literature and mailings.

23 (7 8) Identification of amended information; and

1 (b) The Secretary of State will provide a mechanism for the filer to acknowledge
2 his or her execution of a written declaration verifying the online or electronically filed
3 report in accordance with subdivision (e) of this regulation.

4 (c) If the person making a payment or a promise of payment has received a
5 payment or promise of payment totaling \$5,000 or more from any other person(s) for the
6 purpose of making the communication, the report must also contain the following
7 information:

8 (1) The name and address of the person from whom a payment or promise of
9 payment was received;

10 (2) If the person making a payment or a promise of payment is an individual,
11 his or her occupation and employer;

12 (3) The date(s) of the payment(s) or a promise of payment;

13 (4) The amount(s) of the payment(s) or promise of payment; and

14 (5) If the person making a payment or a promise of payment is a committee
15 under Government Code section 82013, subdivision (a), the identification number
16 issued to the committee by the Secretary of State.

17 (d) To meet the requirements for verification under this title, a report required
18 to be filed under Government Code section 85310 must contain or be verified by a
19 written electronic filing declaration signed and verified in accordance with Government
20 Code section 81004.

21 (e) The original declaration must:

22 (1) Include the statement, "I have used all reasonable diligence in preparing
23 this report and to the best of my knowledge the information contained herein is true and

1 complete. I certify under penalty of perjury under the laws of the State of California that
2 the foregoing is true and correct.”;

3 (2) Be signed, dated and verified on the same date the report is transmitted to
4 the Secretary of State; and

5 (3) Be retained in the filer’s records for five years following the date that the
6 campaign report to which it relates is filed. The declaration must be furnished to an
7 enforcement or auditing agency upon request.

8 (f) An electronically transmitted report will be considered complete and filed
9 when the conditions in subdivision (e) of this regulation are met.

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11 NOTE: Authority cited: Section 83112, Government Code.

12 Reference: Sections 81004, 83112 and 85310, Government Code.

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